

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

RANDY D. LANHAM

Plaintiff

v.

Civil Action No.: 2:05-0357

ALPHA OMEGA BENEFIT PLAN,
THE FREE METHODIST CHURCH
OF NORTH AMERICA EAST,
THE KANSAS CITY LIFE INSURANCE
COMPANY, WAYNE NEELEY,
ROLAND HAYES, and THOMAS YOUNG

Defendants

CHARLES LARUE

Plaintiff

v.

Civil Action No.: 2:05-0358

ALPHA OMEGA BENEFIT PLAN,
THE FREE METHODIST CHURCH
OF NORTH AMERICA EAST,
THE KANSAS CITY LIFE INSURANCE
COMPANY, WAYNE NEELEY,
ROLAND HAYES, and THOMAS YOUNG

Defendants

CHARLES WILLIAMS

Plaintiff

v.

Civil Action No.: 2:05-0359

ALPHA OMEGA BENEFIT PLAN,
THE FREE METHODIST CHURCH
OF NORTH AMERICA EAST,
THE KANSAS CITY LIFE INSURANCE
COMPANY, WAYNE NEELEY,
ROLAND HAYES, and THOMAS YOUNG

Defendants

DAVID BESS, SR.

Plaintiff

v.

Civil Action No.: 2:05-0360

ALPHA OMEGA BENEFIT PLAN,
THE FREE METHODIST CHURCH
OF NORTH AMERICA EAST,
THE KANSAS CITY LIFE INSURANCE
COMPANY, WAYNE NEELEY,
ROLAND HAYES, and THOMAS YOUNG

Defendants

MEMORANDUM ORDER AND OPINION

Pending before the court is the motion of defendant Free Methodist Church of North America East, filed June 6, 2005, in Lanham v. Alpha Omega Benefit Plan, et al.; Civil Action No. 2:05-0357, seeking to consolidate these four above-captioned actions pursuant to Rule 42(a) of the Federal Rules of Civil Procedure inasmuch as all four actions involve common questions of law and fact, the same defendants, and the same counsel.¹ Neither the plaintiff nor the other defendants have filed a response to the motion.

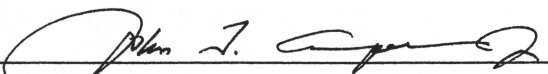
¹The court notes that in each of the four cases, defendant Kansas City Life Insurance Company has filed cross claims against the other defendants except Thomas Young, and defendant Free Methodist Church of North America East has filed cross claims against defendant Kansas City Life Insurance Company and Ronald Hayes as well as a third party complaint against Accredited Insurance Services, Inc. The Lanham caption shall reflect these filings.

The decision to consolidate is within the sound discretion of the court. Having carefully reviewed the record, the court finds that the four actions derive from a substantially similar nucleus of facts and that the legal issues raised appear identical. Judicial economy would be favored and the risk of inconsistency eliminated by consolidation of the four actions.

Noting no opposition to the motion, it is accordingly ORDERED that the motion be, and it hereby is, granted. The above-styled actions are consolidated and shall proceed with the lead action being that of civil action no.: 2:05-0357 in which all further pleadings, motions and documents shall be filed.

The Clerk is directed to forward copies of this written opinion to all counsel of record.

DATED: July 6, 2005



John T. Copenhaver, Jr.
United States District Judge